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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,766	05/04/2005	Takemi Matsuno	26281-09A	7948

7590                    08/07/2007  
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EXAMINER
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SALTERS, CONSTANCE B

ART UNIT	PAPER NUMBER
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3609

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/533,766	MATSUNO, TAKEMI	
	<b>Examiner</b> Constance B. Salters	<b>Art Unit</b> 3609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8, 10-14, 16 and 18-21 is/are rejected.
- 7) Claim(s) 9, 15 and 17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20050504 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____.                                     |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060703</u> .  | 6) <input type="checkbox"/> Other: _____.                         |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. PCT/JP03/07404, filed on 11 Jun. 2003.

### *Drawings*

2. Figure 1 is objected to as failing to comply with:

- a. 37 CFR 1.84(p)(4) because reference characters (10) and (18) have both been used to designate "an air bag door" and
- b. 37 CFR 1.84(p)(5) because it includes the following reference character(s) not mentioned in the description: item (13) is not discussed in the Specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be

notified and informed of any required corrective action in the next Office action. The objection to the drawing will not be held in abeyance.

***Specification***

3. The disclosure is objected to because of the following informalities: Item (23) in Figure 1(b) and Figure 17 is specified as a "suction hole". Clearly the figures do not depict the same article.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

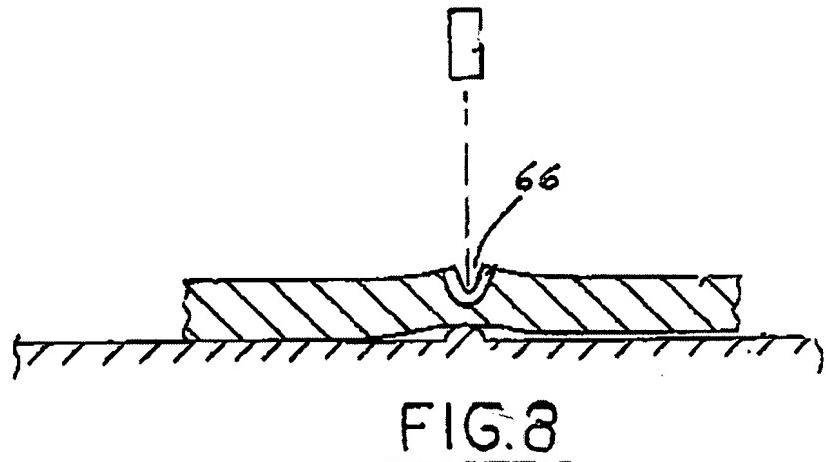
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being unpatentable by Evans et al., U.S. patent no. 7,011,512.

In Re claims 1 and 2, Evans et al, US '512, discloses a V-shaped groove or "score line 66" in an automotive trim cover of an airbag, which "has a depth of about 10% to about 90% of the thickness of skin" (Column 3, lines 62-63), as shown in Figure 8 below, which is "adapted to assume a substantially V-shaped groove" and is apparent "when the skin is bent with its back surface convexed".

The examiner interprets a score line to be a "break-scheduled line". It is evident the score line will be substantially invisible or flat when the skin is flattened.



5. Claims 1 – 6 are rejected under 35 U.S.C. 102(b) as being unpatentable by Bauer, U.S. patent no. 5,744,776.

In Re claim 1, Bauer, U.S. '776, discloses a vehicle upholstery member or automotive interior trim piece skin with a groove scored to "a depth on the order of 20-80% of the thickness of [the] cover layer" (Claim 1, Column 9, lines 39-40), as shown in Figure 8 next page. The examiner interprets a score line to be a "break-scheduled line". It is evident the score line would assume a substantially V-shaped groove when the cover is convexly bent.

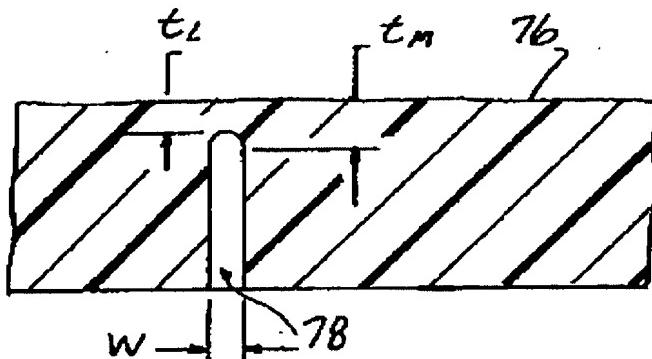


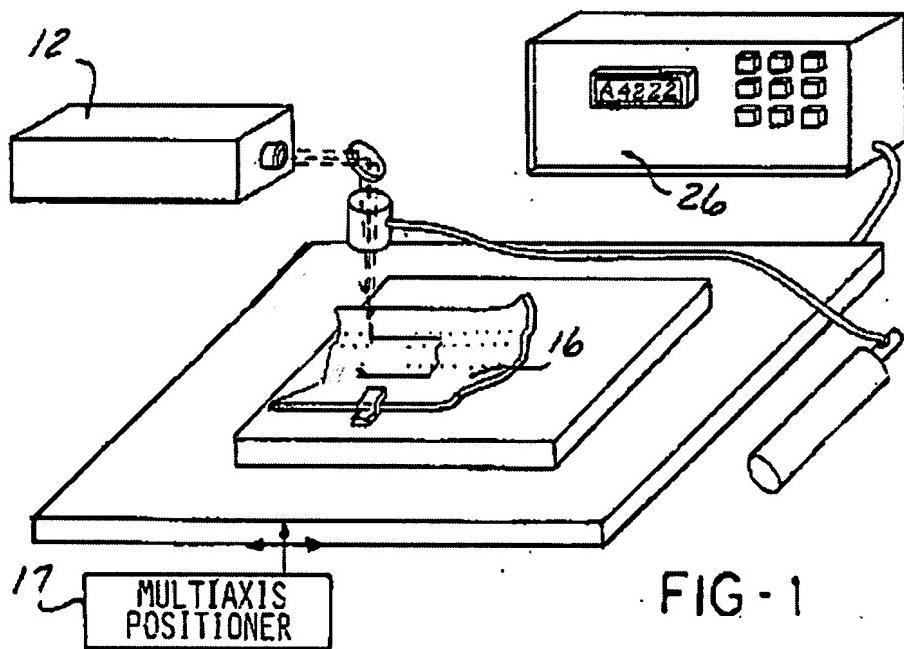
FIG - 8

In Re claims 2 and 4, Bauer discloses the back of the skin would be substantially flat when the skin is flattened. "The thickness  $t_L$  of material remaining above the laser beam scored groove 78 may be less than the remaining thickness  $t_M$  of a molded groove and still remain invisible from the finished surface 76" (Column 8, lines 1-5).

In Re claim 3, Bauer discloses "the cover 16 is moved relative [to] the laser source 12 to cause tracing of a particular pattern at a precise rate of scoring by a multiaxis positioning system 17" where the "multiaxis positioning system 17 may be driven by a multiplicity of electric motors controlled by a small computerized controller 26" (Column 6, lines 27-29). (See Figure 1 next page.) The examiner interprets this multiaxis positioning system would construct straight or curved score lines in the cover.

In Re claims 5 and 6, Bauer, US '776, teaches "the covers 58, 66, are assembled in a mold after scoring with an instrument panel substrate (not shown), foam injected into an intervening space to bond together the substrate and cover, as well as deployment door panels and frame, into a unitary trim piece." (Column 7, lines 55-59) and the "cover panel 58" is "formed by a dry powder slush molding operation" (Column

7, lines 37-38), where a thermosetting or thermoplastic resin would be used as a molding material.



10. Claims 7, 8, and 10-12 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Bauer, U.S. patent no. 5,744,776.

In Re claims 7 and 8, Bauer, US '776, discloses a process or method of flatly mounting a skin on a support base, forming a score line that is formed by a "laser source 12" which "may be controlled to generate pulses of a laser output beam, each

pulse removing by heat ablation or combustion a minute quantity of cover **16** material"  
(Column 6, lines 18-21) and the skin or "cover **42** is fixtured on an ultrasonic sensor **46**

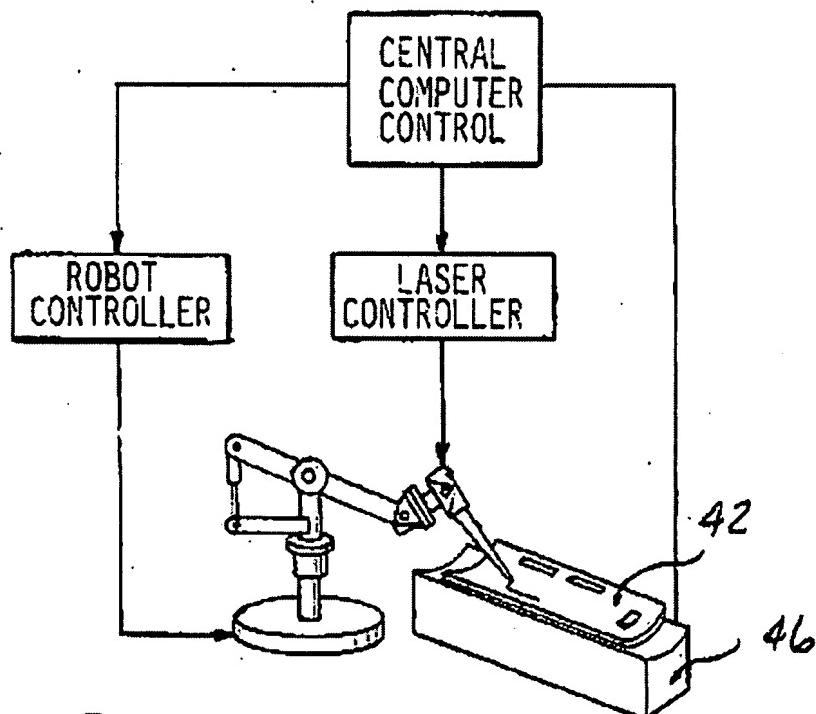


FIG-4

which generates signals corresponding to the thickness of material remaining after the groove scoring is produced" (Column 6, lines 62-64). See Figure 4 above.

In Re claims 10-12, Bauer, US '776, teaches the laser motion and depth, while scoring the skin, are detected and the thickness of the remaining portion of the skin is controlled and measured by the computer based controller which controls the multiaxis positioning system and the device for these methods are inherent in the process. See Figure 4 above.

Though Bauer does not teach a cutting blade being used to produce the score line, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a laser to cut the score line as it is a well known equivalent in the art.

**11.** Claim 16 is rejected under 35 U.S.C. 102(b) as being unpatentable by Bauer, U.S. patent no. 5,744,776.

In Re 16, Bauer, US '776, teaches a device for producing a "vehicle upholstery member having an air bag door equipped with a fabricated skin" with a "measuring means for measuring the depth of the break-scheduled line or the thickness of the remaining portion."

**12.** Claim 21 is rejected under 35 U.S.C. 102(b) as being unpatentable by Evans et al., U.S. patent no. 7,011,512.

In Re 21, Evans et al., US '512, discloses a "vacuum plate, for supporting a skin to be scored and a laser mounted above the plate" (Column 2, lines 11-12), where the support base is "provided with a suction portion for fixing the skin therein."

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer, U.S. patent no. 5,744,776, and in view of Evans et al., U.S. patent no. 7,011,512.

In Re 13, Bauer, US '776, discloses a process or method of flatly mounting a skin on a support base, forming a score line, and measuring the depth of the score line (as described above). Bauer does not teach partially or entirely bending the vehicle upholstery member skin when forming the score line. Evans et al, US '512, discloses a ridge used to create a raised portion of the skin and forming a score line with a depth of about 10% to about 90% of the thickness of skin.

In Re 14, Evans et al., '512, discloses a method or "means for producing relative movement between the heat source and the principal surface of the plate such that a score line of a predetermined depth is formed in the skin along [a] ridge" (Column 2, lines 22-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the invention taught by Bauer with a score, tear, or break-scheduled line cross section similar to the one taught by Evans et al.

14. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans et al., U.S. patent no. 7,011,512, and in view of Bauer, U.S. patent no. 5,744,776.

In Re 18-20, Evans et al., '512, discloses a method or "means for producing relative movement between the heat source and the principal surface of the plate such that a score line of a predetermined depth is formed in the skin along [a] ridge."

Though Evans et al., '512, does not teach an upward moving ridge or protrusion against the skin, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the invention taught by Evans et al. with a process to produce a score line with a multiaxis positioning system controlled by a small computerized controller similar to the one taught by Bauer.

***Allowable Subject Matter***

**15.** Claims 9, 15, and 17 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. The limitation of raising the protrusion relative to the base is not taught or suggested by the closest prior art of Evans et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Constance B. Salters whose telephone number is (571) 270-3092. The examiner can normally be reached on Mon-Fri, 7:30AM-5PM, alt. Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on (571) 272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Charles A. Fox 8-1-07*  
Charles A. Fox  
Primary Examiner

*CRB*  
Cs  
7/31/2007